

REMARKS

This case has been reviewed and analyzed in view of the Official Action dated 27 February 2007. In the Official Action, the Examiner has identified four Species/Embodiments, namely, #1 directed to Fig. 3; #2 directed to Fig. 4; #3 directed to Fig. 5; and #4 directed to Figs. 6-7. The Examiner has required that Applicants choose one Specie/Embodiment for further prosecution.

By this Response, Applicants provisionally elect Species/Embodiment #1 encompassed by Claims 11-20. However, Applicants hereby traverse the Restriction Requirement made by the Examiner based on grounds in following paragraphs, and requests reconsideration of the requirement for restriction.

It is respectfully submitted that the different "embodiments" identified by the Examiner are related and not distinct, having at least one related operation therebetween. The Species #2, #3 and #4 are embodiments of the Species #1. Even if the different Species are found to be distinct, the search and examination of all of the claims of the subject Patent Application would not be a serious burden on the Examiner. In fact, the Examiner has made no representation that the search and examination of all of the claims would be overly burdensome. The Examiner has not identified separate classifications, separate status in the art or different fields of search for the different Species, as a *prima facie* showing of the burden on the Examiner in not restricting the Application.

MR1035-1449

Appln. No. 10/822,742

Reply to Office Action dated 02/27/2007

Therefore, the Examiner has failed to set forth any support for a conclusion that the restriction requirement is proper, and has thereby failed to meet the two criteria defined in MPEP §803 et seq. for demonstrating the Restriction is proper.

Accordingly, it is hereby respectfully requested that the Restriction Requirement made in the Office Action be withdrawn.

Respectfully submitted,
FOR: ROSENBERG, KLEIN & LEE



David I. Klein
Registration No. 33,253

Dated: *5 April 2007*

Suite 101
3458 Ellicott Center Drive
Ellicott City, MD 21043
Tel: 410-465-6678
Customer No. 04586